



**ENVIRONMENTAL QUALITY ADVISORY BOARD**  
**7506 E. Indian School Road**  
**Scottsdale, AZ.**  
**Wednesday, February 19, 2003**  
**5:00 PM**

Chair Basinger, noting the presence of a quorum, called the regular meeting of the Environmental Quality Advisory Board to order at 5:00 PM

**Members Present:** Daniel Basinger, Chair  
Don Manthe, Vice Chair  
Lynn Ashby  
Michelle Cohen  
Michael Mulroy  
Brian Munson  
Randy Nussbaum

**Staff Present:** Larry Person  
Chuck Skidmore  
Randy Grant  
Jerry Stabley  
Judy Register  
Lisa Collins  
Decima Severs

**Guests:** Bodo Diehn  
Sam West  
Councilman Wayne Ecton  
Martha Ecton  
Howard Meyers

### **CALL TO ORDER**

- Introduction of New & Reappointed EQAB Members

Chair Basinger noted that Vice Chair Manthe had been reappointed to the Board and that Brian Munson had been newly appointed. He called for introductions by each of the Board Members.

- Presentation of Resolutions

Board Member Nussbaum read resolutions thanking Chair Basinger and Vice Chair Manthe for their efforts on behalf of the Board. He presented each with a certificate recognizing their dedication to the Board.

### **ROLL CALL**

A formal roll call was taken, with members present as indicated above.

### **APPROVAL OF MINUTES**

On motion made by Vice Chair Manthe, and second by Board Member Cohen, the minutes from the January 15, 2003 were approved unanimously.

### **OLD BUSINESS**

- Green Building Report

Mr. Hand advised the Board that the Green Building Committee had no active meeting this month, but that the subcommittee had continued to work on the Home Remodeling Guidelines. He distributed copies for the Board Members to review, and discussed the format and contents of the document. Mr. Hand explained that the guidelines were not being marketed as a green building document, but rather as sustainable building guidelines. He stated that other departments would be encouraged to participate in promoting the guidelines as a City document. Chair Basinger added that one of the most important aspects was the planning phase, and that with proper planning; the end result would be a healthier, more sustainable, and environmentally sensitive dwelling.

Board Member Ashby commented that there seemed to be a good deal of confusion regarding xeriscape throughout the community, and suggested that the Green Building Committee might address that topic in the future.

Chair Basinger pointed out that the next Green Building Lecture Series would be held on March 6 on Indoor Environmental Air Quality and Mold Mitigation. He added that a Living With the Sun Lecture Series had also been added, and would be held on alternate Thursdays with the Green Building Series. He mentioned ongoing efforts to incorporate Green Building and LEEDS certification into the City's construction projects.

- Noise Complaint Study Results

Chair Basinger recalled that the Board had requested Citizen and Neighborhood Resources to track noise complaints as to quantity of calls, the specific complaint mentioned, and general time of the calls. Ms. Register, General Manager of Citizen and Neighborhood Resources, distributed a copy of the chart summarizing the results for the month of January. She noted that the two major noise complaints were barking dogs and loud music. Ms. Register stated that staff was not recommending anything further at this time, but that presentation to City Council at a study session might be appropriate. Chair Basinger inquired as to the success of the mediation program. Ms. Register replied that since the program's inception in September of 2000, 253 cases were mediated. She added that 100 percent of the participants rated the mediation process a success.

Chair Basinger commented on the potential of the Virtual Call Center for tracking calls. Ms. Register observed that the Call Center was intended to minimize calls to multiple departments for the same issue. She cautioned that the Call Center was not yet being utilized to its full potential. Discussion ensued relative to landscaping crews and GoPed noise issues. Mr. Diehn commented that the "on hold" time to lodge a complaint with the police department's non-emergency number was intolerable. There was also discussion as to the viability of a noise ordinance, the resultant enforcement issues, and the applicability of the disturbing the peace ordinance to the noise complaints. Board Member Mulroy observed that, in light of all the priorities facing communities at the present, a noise ordinance would not be realistic. He went on to add that he thought that there were certain items that should be resolved on a neighborhood basis, rather than relying on the City to become involved. Board Member Munson concurred, noting that it was hard to legislate common sense and courtesy.

Councilman Ecton stated that he concurred with Ms. Register's recommendation to hold a Council study session on noise, together with a recommendation from the EQAB. He noted that he would support a noise ordinance only if it could be enforced. The Board Members noted that Tempe and Paradise Valley have noise ordinances and directed staff to circulate the Tempe ordinance to the Board Members for their review, and to contact

Tempe regarding their policy of enforcement for the ordinance. Chair Basinger requested that Ms. Register attend the next meeting for a follow up discussion and possible action.

- TV PSAs – demographics report from City Cable 11

Vice Chair Manthe recalled that the Board had requested a survey of the City Cable 11 viewers to assess the effectiveness of prior PSAs. He reported that the survey indicated that roughly 21 percent or 17,000 – 18,000 homes are primary viewers. Vice Chair Manthe requested the Board Members to evaluate the survey results and discuss options at the next meeting as to the best use of the EQAB's resources to promote a program of environmental awareness.

### **NEW BUSINESS**

- Earth Day 2003

Ms. Sever addressed the Board regarding the activities during the month of April. She explained that the month, designated Scottsdale Clean and Beautiful, would be full of promotions and events to assist residents in cleaning and beautifying neighborhoods and encouraging them to take positive actions to enhance the community. Ms. Sever noted that, as the Scottsdale Clean and Beautiful event is in its first year, the objective is to capitalize on existing events and keep the events at a manageable size. She distributed a list of the schedule of events and reviewed the various activities.

Chair Basinger inquired if the Board Members would commit to participating in the Neighborhood Clean Up Day as a group. He noted that Council Members would be invited as well. The Board Members concurred in their support of the event. Chair Basinger encouraged the Board Members to bring their families. He stated that he would follow up with an invitation to City Council members. Chair Basinger also mentioned the possibility of participating in the Adopt a Road Program and perhaps challenging other Boards and Commissions to participate

- ESLO Update

Randy Grant provided the background and history of the Hillside Ordinance and the evolution of the ESLO. He explained that in 1999 City Council requested a review of ESLO to see if it was doing what it was intended to do. Mr. Grant credited the EQAB with a great deal of work in identifying issues and reconstructing the ESLO. He noted that there was input from the Planning Commission, property owners, and developers, but that the EQAB

revision was the one adopted. Mr. Grant outlined the changes. He went on to explain that in the past year, staff felt that certain refinements to the document were necessary to make it easier to understand. He stressed that no philosophical changes were made to the document.

Mr. Stabley distributed handouts relating to various aspects of ESLO and the recommended changes. He pointed out that graphics and illustrations had been added for clarification and that some additional definitions were included. Mr. Stabley outlined the more technical changes relative to NAOS, building height, natural hazards, reflective roofing and building materials, and revision of the protected peaks and ridges map. Board Member discussion ensued.

Mr. Howard Meyers addressed the Board with his concerns regarding ESLO and distributed photographs supporting his position. He specified that the 25 percent NAOS requirement was vulnerable and speculated that it would ultimately be challenged. He stated that his second complaint was that ESLO, as stated, failed to accomplish such critical goals as: protection of wildlife corridors, maintenance of open views and use of NAOS, maximize amount of desert maintained in its natural state, protection of natural drainage features, protection of washes, and protection of property against damage from flooding. He pointed out that the fact that perimeter walls are now allowed has had a disastrous impact on drainage. There was discussion as to Mr. Meyers' concerns and enforcement of existing drainage ordinances. Several Board Members expressed concern that planning and drainage ordinances were being violated. Mr. Stabley stated that staff would take the issue under advisement and would return to the Board for further discussion.

*(Board Member Nussbaum left the meeting)*

Vice Chair Manthe moved to recommend to accept the proposed changes and to recommend to Council a period of two years to review ESLO for philosophical issues and at that point to do a full scale review of the ordinance. Board Member Mulroy seconded the motion. The motion passed unanimously by a vote of (6-0).

## **UPDATES AND REMINDERS**

- Sustainability Indicators Report 2002/2003

Mr. Person noted that the theme for the meeting was sustainability. He provided an update on the Sustainability Indicators Report, explaining that the report had been reformatted to be more cost effective. He stated that a draft

of the report should be available for Board Member review at the next meeting.

**ADJOURNMENT**

With no further business pending before the Board, being duly moved, the regular meeting of the Environmental Quality Advisory Board was adjourned at 8:00 PM.

Respectfully submitted,

Diane Swanberg  
Court Reporter